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November 25, 2019

VIA ECF

Honorable Loretta A. Preska
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 11201

Re: Stephanie Johnson v. City of New York, et al.
16 CV 9561 (LAP)

Your Honor:

I am counsel for the defendants in the above-referenced matter. I write to request an enlargement of time for providing the Court with the parties' Joint Proposed Pre-Trial Order ("JPTO"). This motion is made upon consent from plaintiff's counsel, Lissa Green-Stark.

Trial of this matter has been adjourned several times (twice upon joint request and once upon plaintiff's application) and is currently scheduled for January 27, 2019. The Court previously ordered the parties to submit a JTPO on December 2, 2019, and requests to charge and proposed voir dire on January 21, 2019. The Court did not provide (unless I overlooked it) a date for motions *in limine*. By this letter, I am requesting both an adjournment of the due date for the JPTO, as well as a briefing scheduling for motions *in limine*.

The basis for my request as to the adjournment of the JPTO date is that I have a trial starting before Judge Woods on December 9, 2019, and am very busy preparing for that matter. In addition, I have not yet received plaintiff's portion of the JPTO, though I understand plaintiff's counsel had intended to get it to me today. Notwithstanding, with the Thanksgiving holiday, I think it would be very difficult for me to get them back our portions and for us to finalize it in time for the December 2 submission date. As we still have more than two months before trial, and as I do not believe that this will be a document-intensive case (plaintiff was not arrested, but rather transported to the hospital as an emotionally disturbed person), I would request, upon consent of plaintiff's counsel, that the Court adjourn the deadline for filing the JTPO until December 23, 2019.

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(2)

I have also consulted with plaintiff's counsel regarding a proposed briefing schedule for motions *in limine* and we would propose that motions *in limine* be due January 9 with oppositions due January 16, 2019.¹

Thank you for your consideration herein.

Respectfully submitted,

Elissa Fudim

Elissa Fudim

Senior Counsel

① and ② are

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

11/26/19

¹ I believe under the Court's Individual Rules and Practices, moving papers on *in limine* motions would be due, by default, on January 13. We propose a slightly earlier date to allow time for oppositions and hopefully a marginally earlier decision on such motions.